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POLITICS

Why 8 claims from Rudy Giuliani's Michigan witnesses don't add up



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The Detroit News

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Lansing — Dubious and faulty claims about Michigan's election continued to fly this past week as Republican state lawmakers invited or allowed individuals whose statements have been contradicted to participate in high-profile committee hearings.

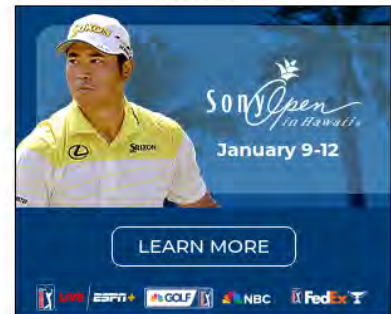
A Senate Oversight Committee hearing lasted more than six hours Tuesday, focusing on the TCF Center, where absentee ballots were counted in Detroit. But the brightest spotlight shone Wednesday night as Rudy Giuliani, President Donald Trump's personal attorney, appeared before the House Oversight Committee and questioned President-elect Joe Biden's 154,000-vote victory in Michigan.

Giuliani presented individuals who said they witnessed wrongdoing and one person who said he was a data expert. The purported expert, retired Col. Phil Waldron, repeated widely debunked statements about Michigan's election results, which were certified by bipartisan boards in all 83 counties.



Mellissa Carone, who worked at the TCF Center in Detroit on Election Night, speaks to the House Oversight Committee on Wednesday, Dec. 2, 2020. Screenshot

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Meilissa Carone, who worked at the TCF Center in Detroit on Election Night, speaks to the House Oversight Committee on Wednesday, Dec. 2, 2020. Screenshot

"They say in the press ... this has been debunked. Every time I read about this, they say this has been debunked," House Oversight Chairman Matt Hall, R-Marshall, said in response to Waldron's comments at one point.

"Why do you think they're saying that?" Hall asked.

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Waldron responded, "I have a theory in life. It's about people and personal behavior. It's either a variable of competence or a variable of commitment."

Some of the claims in this week's hearings, such as the allegation that election workers coached people to vote a certain a way, are not possible to prove without more information. Others claims, such as poll challengers stating they were harassed at TCF Center, don't directly link to election fraud.

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Eight of the most significant claims — which, if they were to be substantiated, could arguably impact the election's outcome — are either demonstrably false based on recorded facts, are contradicted by one or more officials involved in the process or suggest a fundamental misunderstanding of how votes are counted and recorded. Here's a closer look.

Eight of the most significant claims — which, if they were to be substantiated, could

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fundamental misunderstanding of how votes are counted and recorded. Here's a closer look.

1. List of precincts with over 100% turnout is false

Waldron, who said he worked with a team that's been studying "election manipulation," told lawmakers there were 10 Michigan precincts with 100% turnout and six precincts that recorded over 120% voter turnout.

On its face, the claim is dubious because bipartisan boards of canvassers in every county examine numbers on tracked voters and tracked ballots before certifying the results.

| Precinct/Township | % Turnout |
|--------------------------|-----------|
| City of North Muskegon | 781.91% |
| Zeeland Charter Township | 460.51% |
| Grout Township | 215.21% |
| City of Muskegon | 205.07% |
| City of Detroit | 139.29% |
| Spring Lake Township | 120.00% |
| Greenwood Township | 100.00% |
| Hart Township | 100.00% |
| Leavitt Township | 100.00% |
| Newfield Township | 100.00% |
| Otto Township | 100.00% |
| Pentwater Township | 100.00% |
| Shelby Township | 100.00% |

A false statistical analysis from Russell Ramsland claims that there were six precincts in Michigan with 120% or more turnout in the Nov. 3, 2020, election. *Screenshot*

Waldron appeared to be referencing data included in a report from a Texas resident named Russell Ramsland. That document also lists six precincts with 120% turnout or more in Michigan. But it doesn't identify specific precincts. Instead, it lists cities or townships where they were supposedly located.

According to the document, there was a precinct in North Muskegon with 781% turnout and a precinct in Muskegon with 205% turnout. The certified and publicly posted results in Muskegon County clearly refute, however, Waldron's claim.

North Muskegon has two precincts. The highest turnout there was 82%. The City of Muskegon has 14 precincts. The highest turnout in any of them was 83%.



An official county document shows the turnout percentage in one of two North Muskegon precincts. *Screenshot*

There is no chance a county board of canvassers would allow a precinct to be certified with 781% turnout, said Jeanne Pezet, elections coordinator for Muskegon County.

Mistakes can and have happened that might lead to turnout rates appearing to be above 100% in "unofficial" results, but they are caught and corrected before the tallies are certified, she said.

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"Everything is unofficial until the canvassers complete their work," Pezet explained.

2. 'Physically impossible' conclusion off base

Waldron also told lawmakers that there were four spikes in vote-count additions that exceeded what was "physically" possible for tabulation machines to process over specific time periods.

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But election officials and experts widely rejected his claim in social media posts, noting that there were time differences between when results are released and when they actually are processed by tabulators.

"This data was from Dominion and published in open source," Waldron told lawmakers.

Ottawa County Clerk Justin Roebuck, a Republican, tweeted that Waldron didn't understand how election results are updated on county websites.

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"Remember — the counting machines are not connected to the internet — therefore the data must be brought to separate computers to be released to the reporting websites," the clerk posted.

Chris Thomas, Michigan's longtime former elections director, tweeted, "Colonel Waldron is not up to speed on election results reporting."

3. Detroit ballots were verified before they got to TCF Center, official says

Jessy Jacob, a Detroit employee who worked the election, has repeatedly said — including at Wednesday's hearing — she was told not to validate absentee ballots while at the TCF Center, where absentee ballots from across the city were counted.

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It's a statement that leads some to believe that the legitimacy of absentee ballots wasn't checked at all, a conclusion contradicted by Detroit election officials.

Thomas, who advised Detroit officials for the Nov. 3 election, said the verification process took place prior to the ballots' delivery to TCF Center, in accordance with state law regarding the handling of absentee votes.



not to compare the signature on the absentee ballot with the signature on file" it was because that part of the process had already been completed by the City Clerk's Office in compliance with the statutory scheme.

An affidavit from Chris Thomas, Michigan's longtime former elections director, responds to claims of wrongdoing at the TCF Center. *Screenshot*

"Thus, when Jessie Jacob complains that she 'was instructed not to look at any of the signatures on the absentee ballots, and I was instructed not to compare the signature on the absentee ballot with the signature on file' it was because that part of the process had already been completed by the City Clerk's Office in compliance with the statutory scheme," Thomas said in his own signed affidavit.

Wayne County Judge Timothy Kenny considered Jacob's signed affidavit when he dismissed as "not credible" a Republican lawsuit seeking to halt Wayne County's certification of the vote.

4. Thomas: There wasn't backdating at TCF

Thomas has also contradicted Jacob's claim that she was told on Nov. 4, the day after the election, to "pre-date" absentee ballots as if they had been received on or before Nov. 3.

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"I estimate that this was done to thousands of ballots," Jacob said in a signed affidavit.

Thomas, who helped oversee Michigan's elections for more than three decades, said it's "impossible" that any election worker at the TCF Center counted or processed a ballot that was received after the 8 p.m. Nov. 3 deadline.

"No ballot could have been 'backdated,' because no ballots received after 8:00 p.m. on November 3, 2020 were ever at the TCF Center," Thomas said.

Daniel Baxter, a longtime former elections official in Detroit who also helped with the city's election, said in his own affidavit that Jacob's allegations suggest "that she did not understand many of the processes that she observed, and for which she was not responsible."



7. Jessy Jacob was a furloughed employee from another City department, assigned to the Department of Elections for limited, short-term purposes, in September, 2020. Despite her long tenure with the City of Detroit, her tenure with the Department of Elections was brief, and her responsibilities were limited.

Longtime Detroit election official Daniel Baxter responds to claims made by Jessy Jacob in an affidavit.
Screenshot

5. Biden's big Detroit margin isn't suspicious

Like other GOP poll challengers at TCF Center, Andrew Sitto, who appeared before lawmakers on Wednesday, said he saw only one ballot for Trump while working at the TCF Center, the location of the absentee vote count.

Of one batch of ballots, he said, "None of them were for Trump. None of them."

Detroit is a city that has overwhelmingly favored Democratic candidates. President Barack Obama received 97.5% of the vote to Republican Mitt Romney's 2% in the 2012 election.

Among Election Day voters in Michigan's largest city, President-elect Joe Biden got 90% of the ballots cast for president, according to the official results. Trump also widely claimed before the election that mail-in voting was problematic and fraudulent and publicly discouraged its use to his supporters. Biden generally performed better among absentee voters.

| MOBILE | TELEPHONE | TABLET | DESKTOP | TV |
|-------------------------------------|-----------|--------|---------|---------|
| Howie Hawkins/Angela Walker | GRN | 366 | 422 | 788 |
| Rocky De La Fuente/Darcy Richardson | NLP | 117 | 89 | 206 |
| Total Votes | | 82,968 | 173,546 | 256,514 |

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These are the results of the Nov. 3 presidential election in the City of Detroit, where Joe Biden got 93.9% of the vote. *Screenshot*

In Detroit, Biden received 96% of the absentee votes cast for president. Trump received 3%. So out of every 100 absentee ballots cast in the city, the Republican president would have received three.

Overall, Biden received 94% of the vote in Detroit, and Trump 5%, which marked an improvement for Trump. Four years earlier, Democrat Hillary Clinton got 95%, and Trump received just 3%.

6. Detroit lawyer: TCF poll worker list was made available

On Wednesday, Sitto also told lawmakers that at about 6 a.m. on Nov. 4, someone at the TCF Center got on a microphone and said, "This is what democracy is supposed to look like."

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"The whole room cheered," Sitto said. "This is how you know it's a good sign of a violation that there's an imbalance of poll workers."

There has been widespread criticism that there weren't enough GOP poll workers in Detroit. Michigan's official manual for appointing poll workers says each precinct board has to be politically balanced "as nearly as possible." State law says "there must at least one election inspector from each major political party present at the absent voter counting place."

In a sworn statement in November, Detroit's attorney Lawrence Garcia said poll workers participating at the TCF Center were identified "by name, as well as their stated political party preference in an official, poll worker list that was available for inspection and that was published to both the Republican and Democratic parties of Michigan well in advance of the AV (absent voter) ballot counting that took place this week."

7. Claim of thousands of ballots counted twice is

the AV (absent voter) ballot counting that took place this week.

7. Claim of thousands of ballots counted twice is dubious

Multiple individuals who appeared before the House Oversight Committee on Wednesday claimed that they saw ballots being counted multiple times at the TCF Center.

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There is a system in place in Michigan for catching such an act. Election officials balance poll books — the lists of voters participating in an election — and the numbers of ballots cast. So if a ballot was counted multiple times, there would still be only one voter attached to it, so the number of votes counted would be substantially higher than the number of voters who cast ballots.

If this happened thousands of times — as Mellissa Carone, a contractor for Dominion Voting Systems, has claimed — the precincts would be off by thousands of votes.

There were 134 counting boards handling absentee ballots in Detroit. Of those, 39 boards, or 29% of them, were in balance, and 64 boards, or 48%, were individually off by plus or minus four votes or fewer each, according to results certified by the county's bipartisan board of canvassers. There were 31 boards, or 23% of the total, off by five or more votes, according to data from the Wayne County Clerk's Office.

[Nov. 3, 2020, Wayne County Canvass Report](#) by [Craig Mauger](#) on Scribd



NOVEMBER 3, 2020 Summary of Canvass Report

I would like to acknowledge the hard work and dedication of the canvass assistants. The historic AV turnout along with the challenges conducting a canvass during a pandemic and with threats made to the canvass that required law enforcement surveillance 24 hours a day made it difficult. I'd like to thank Sheriff Benny Napoleon and his Deputies for the dedication and professionalism in making sure the canvassers felt safe to conduct the business of the canvass. I would also like to thank Wayne County Clerk Cathy M. Garrett for providing canvassers with lunch each day so they wouldn't have to venture out the building.

Wayne County has 1,115 precincts, of which 134 are Detroit Absentee Counting Boards.

Our canvass included 981 precincts:

478 Out-County Election Day Precincts

478 Out-County Absent Voter Precincts

503 City of Detroit Election Day Precincts

134 City of Detroit Absent Counting Boards

Provisional Report:

478 Out-County Absent Voter Precincts

503 City of Detroit Election Day Precincts

134 City of Detroit Absent Counting Boards

Provisional Report:

478 Provisional Envelopes ballots - 30 Valid and 448 Invalid

28 provisional affidavit Ballots

3,997 voters not in possession of picture ID

Plus/Minus Report: Out County: Attached

Retabulated 17 Election Day and 48 Absentee precincts:

Detroit Election Day: 80, 180, 120, 315, 268, 220, 252, 318, 423, 376, 65,189, 207, 392, 422

AVCB: 37, 85, 44, 13, 52, 77, 89, 62, 25, 54, 28, 48, 122, 45, 52, 5, 49, 41, 36, 38, 33, 57, 58,

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The imbalances don't automatically mean there were more ballots than voters. They can also mean there were fewer ballots counted than voters.

Jonathan Brater, Michigan's election director, said in an affidavit that the difference in absentee ballots tabulated and names in poll books in Detroit was 150. There were "fewer ballots tabulated than names in the poll books," Brater added.

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"If ballots had been illegally counted, there would be substantially more, not slightly fewer, ballots tabulated than names in the poll books," he said.

8. Suggestions of 50,000 fraudulent ballots are untrustworthy

Carone said she would guess that Detroit's poll books are off by more than 100,000.

Publicly available statistics discount any claim of such widespread fraud in Detroit. There were 173,546 absentee ballots cast in the presidential race in the city. If 100,000 were fraudulent, as Carone estimated, that would be 58% of the total cast.

However, there also wasn't a surge in votes in Detroit. With Election Day voters and absentee voters, 257,619 ballots were tallied in Detroit. Four years earlier, there were 248,265 ballots cast, meaning the city this year experienced an increase of 9,354 ballots, a 3.7% jump.

Statewide, there were 15% more votes cast for president in 2020 compared with 2016 and, nationally, voter turnout hit a new record.

Under then-Secretary of State Ruth Johnson, a Republican, the Michigan Bureau of

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Statewide, there were 15% more votes cast for president in 2020 compared with 2016 and, nationally, voter turnout hit a new record.

Under then-Secretary of State Ruth Johnson, a Republican, the Michigan Bureau of Elections audited the 2016 results in Detroit. The bureau found "no evidence of pervasive voter fraud" that led to imbalances in the city's precincts and absentee counting boards.

Carone's election fraud claims were previously deemed "not credible" by the Wayne County judge.

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